



6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

EPA-HQ-OAR-2003-0033; FRL-9936-28-OAR

Agency Information Collection Activities; Proposed Collection; Comment Request;

Information Collection Activities Associated with EPA's ENERGY STAR® Product

Labeling; EPA ICR No. 2078.06, OMB Control No. 2060-0528

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) is planning to submit an information collection request (ICR), "EPA's ENERGY STAR Product Labeling" (EPA ICR No. 2078.06, OMB Control No. 2060-0528) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a "proposed revision of the ICR, which is currently approved through February 29, 2016." An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Comments must be submitted on or before [insert date 60 days after publication in the Federal Register].

ADDRESSES: Submit your comments, referencing Docket ID No. EPA-HQ-OAR-2003-0033, online using www.regulation.gov (our preferred method), by email to *a-and-r-Docket@epa.gov*, or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Kirsten Hesla, Climate Protection

Partnerships Division, Office of Air and Radiation, Mailcode 6202J, Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460; telephone number: 202-564-2984; fax number: 202-343-2200 email address: hesla.kirsten@epa.gov.

SUPPLEMENTARY INFORMATION:

Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at www.regulations.gov or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

Pursuant to section 3506(c)(2)(A) of the PRA, EPA is soliciting comments and information to enable it to: (i) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (ii) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting

electronic submission of responses. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, EPA will issue another Federal Register notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

Abstract: ENERGY STAR is a voluntary program developed in collaboration with industry to create a self-sustaining market for energy efficient products. The center piece of the program is the ENERGY STAR label, a registered certification label that helps consumers identify products that save energy, save money, and help protect the environment without sacrificing quality or performance. In order to protect the integrity of the label and enhance its effectiveness in the marketplace, EPA must ensure that products carrying the label meet appropriate program requirements.

Program participants submit signed Partnership Agreements indicating that they will adhere to logo-use guidelines and program requirements. Retail partners commit to selling, marketing and promoting ENERGY STAR certified products. Product brand owner partners, who are usually the manufacturer of the products, commit to having participating products certified to meet specified energy performance criteria based on a standard test method and EPA's third party certification requirements. These requirements for ENERGY STAR product certification also include provisions for verifying the performance of certified products through verification testing. The program's emphasis on testing and third-party product review ensures that consumers can trust ENERGY STAR certified products to deliver the energy savings promised by the label. In rare circumstances where product brand licensee's wish to partner with EPA, the Agency establishes the appropriate contacts and relationships for the brand owner and licensee through a joint brand owner and licensee template that both parties are required to sign.

As part of the Agency's contribution to the overall success of the program, EPA

facilitates the sale of certified products by providing consumers with easy-to-use information about the products. To perform this function, EPA must obtain data on certified products. Prior to EPA adopting a third-party certification process, product brand owners were required to submit individual product information directly to the Agency. Now, product information is recorded by Certification Bodies and shared with EPA using XML-based web services that validate and save the information in EPA's database. EPA believes the improved process of submission has reduced the burden time for Partners and the Agency by taking advantage of the infrastructure in place for certifying products. With the new process of obtaining certified product data, certified model data is automatically updated daily on the ENERGY STAR website. To ensure that products are certified properly, the certification process also includes requirements for Certification Bodies to report to EPA products that were reviewed, but not eligible for certification. To ensure continued product performance after initial certification, EPA requires Certification Bodies to conduct post-market verification testing of a sampling of ENERGY STAR certified products. Certification Bodies are required to share information with EPA on products subjected to this post-market testing twice a year and to immediately report any certified products that no longer meet the program requirements. This process allows EPA to monitor the ongoing performance of products and take necessary steps to maintain consumer confidence in the ENERGY STAR label and protect the investment of partners.

In order to monitor progress and support the best allocation of resources, EPA also asks manufacturers to submit annual shipment data for their ENERGY STAR qualifying products. EPA is flexible as to the methods by which manufacturers may submit unit shipment data. For example, many manufacturers are given the option of arranging for shipment data to be sent to EPA via this third party to ensure confidentiality. In using any shipment data received directly from a partner, EPA only shares aggregate information from multiple partners so as to protect

confidentiality.

Finally, Partners that wish to receive recognition for their efforts in ENERGY STAR may submit an application for the Partner of the Year Award.

Burden Statement: EPA will consult with Partners to re-evaluate the burden. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements which have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The estimated total cost for respondents is \$3,908,125 and the hourly burden is approximately 59,407 hours. This cost includes an estimated burden cost of \$3,890,840 and an estimated cost of \$17,285 for capital investment or maintenance and operational costs. The estimated total cost for the Agency is \$566,573 and the hourly burden is approximately 14,044 hours. This cost includes an estimated burden cost of \$566,549.63 and an estimated cost of \$23.37 for capital investment or maintenance and operational costs. A grand total of \$4,474,698 and an hourly burden of approximately 73,451 hours are expected for all information collection activities under ENERGY STAR product labeling.

Respondents/Affected Entities: Respondents for this information collection request include Partners in ENERGY STAR. Partners are product brand owners.

Estimated Number of Respondents: 2050.

Frequency of Response: Initially/one-time and annually.

Estimated Total Annual Hour Burden: 73,451 hours.

Estimated Total Annual Cost: \$4,474,698, that includes an estimated \$17,308.37 in Operations and Maintenance Costs.

Changes in the Estimates: There is an estimated decrease of approximately 10,951 in the total burden hours, and a decrease of 5,931 in the total estimated respondent burden compared with the ICR currently approved by OMB. Although participation in the ENERGY STAR program has steadily increased, EPA believes the automated process of sharing information between Certification Bodies and the Agency has reduced the overall burden for both Partners and the Agency. EPA increased the estimated number of respondents for Partnership Agreements, Unit Shipment data, and Award applications based on updated program data. EPA also updated the hourly wage rates to reflect inflation and current baseline labor rates for each labor category. EPA is currently evaluating and updating these estimates as part of the ICR renewal process. EPA will discuss its updated estimates, as well as changes from the last approval, in the next Federal Register notice to be issued for this renewal.

Dated: October 21, 2015.

Jean Lupinacci

Acting Director, Climate Protection Partnerships Division

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